



Protecting the environment and working for a healthy community.

Comments on the New York State Proposed Part 246 Mercury Reduction Program

Comments by Citizens Campaign for the Environment

Albany, Avon, Long Island City

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Thank you for the opportunity to comment.

Citizens Campaign for the Environment (CCE) is an 80,000 member, not-for-profit, non-partisan advocacy organization working to protect public health and the natural environment throughout New York State. CCE operates from five regional offices across New York State and interacts with New York residents to advance sound environmental policies throughout the year.

CCE recognizes New York State's leadership in reducing and controlling mercury, a bioaccumulative, toxic heavy metal that leads to developmental and neurological damage in wildlife and children. CCE applauds New York for rejecting the US EPA's ill-conceived plan to allow trading of mercury pollution from one community to another for profit. CCE applauds the New York State Department of Environmental Conservation (Department) for requiring 90% mercury reduction by the coal-fired electric utility sector.

However, CCE members demand mercury emission reductions to be required by the end of this decade. ***Requiring 90% mercury reductions by 2010, instead of the proposed 2015, would save over 3000 pounds of mercury pollution from entering the environment!*** The threats of mercury are not new, the source of mercury pollution is not new, and New Yorkers are ready for swift action at the state level.

As the Department knows, The EPA has found mercury to be a bioaccumulative persistent toxic heavy metal, which causes developmental disabilities and cardiovascular disease in humans. Unregulated coal and oil fired power plant mercury emissions account for 40% of the mercury released into our environment.

New York State studies indicate that virtually all of the state's more than 4,000 reservoirs and lakes—including the 21 in the New York City water system—are contaminated with mercury and that larger fish in those waters have unhealthy levels in their bodies. In the mid-1990s, the NYS Department of Environmental Conservation (DEC) caught and tested fish in three major reservoirs in the New York City system. These included the Neversink, Ashokan and Roundout and found that they all had fish with relatively high

levels of mercury. In 2001, NYS tested six species of fish in 80 major lakes and reservoirs throughout New York. All fish tested positive for mercury.

This large amount of mercury has caused New York State to issue fish consumption advisories for a significant and growing number of water bodies in the state. Consuming fish and seafood is a nutritious and often inexpensive protein source. The U.S. Food and Drug Administration (FDA) and EPA recommend the best low-mercury seafood choices include clams, ocean perch, canned salmon, shrimp, and whiting. However, these meals should be limited to no more than 12 ounces per week (12 ounces is about 2 average meals). The New York State Department of Health (DOH) has a general advisory that no more than one meal (1/2 pound) of fish per week from any of the State's freshwaters should be eaten by anyone.

The impacts to wildlife from mercury are becoming more apparent. The Common Loon illustrates the hazards of elevated mercury levels on long-term species survival. Affecting their nervous system; high mercury blood levels cause lethargy and behavioral abnormalities that make loons less successful at rearing young. Wildlife mercury poisoning was once thought to be limited to fish-eating fauna, like the common loon and otter, but recently elevated mercury levels have been documented in forest dwelling and insect eating songbirds, including Bicknell's Thrush.

The good news is that controlling mercury pollution reduces mercury contamination in the environment. Stringent mercury controls for Massachusetts incinerators correlated to a 32% reduction of mercury in local fish, according to the Boston Globe. Requiring 90% mercury reductions sooner will benefit New Yorkers health and environment sooner!

In closing, CCE believes the Department's rule is more protective of human and environmental health, as compared to the US EPA Clean Air Mercury Rule. CCE supports mandating 90% mercury reductions, however we urge *the Department to mandate mercury control technologies on New York's power plants by 2010*. CCE will be submitting formal comments to the Department.

Thank you for the opportunity to comment.